

GUIDE TO PESTICIDE LICENSING AND CERTIFICATION

Pesticides Act
**R.S.O. 1990, Chapter P.11
and Regulation 914**

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Protecting our environment.



Ontario

TABLE OF CONTENTS

Foreword	1
Information for Pesticide Licence Applicants	1
Unlicensed Assistants	
• Trainee	2
• Technician	3
Exterminator Licences	
• Structural	4
• Land	5
• Water	5
Operator Licences	6
Vendor Licences	
• General Vendor	6
• Limited Vendor	6
Certified Agriculturalists	7
Assistant Agriculturalists	8
Pesticide Schedules in Ontario	9
Vehicle Identification	10
Operator Insurance Guide	11

The information contained in this Guide is of a general nature only and is not intended to constitute advice for any specific situation. Please note that the text of many Ontario statutes and regulations are available on the Internet at www.e-laws.gov.on.ca.

For information about pesticide training and certification, please contact Ridgetown College, University of Guelph toll free at 1-888-620-9999 or locally at (519) 674-1575. For information about pesticide licensing or to obtain an application package please contact the Environmental Assessment and Approvals Branch locally at 416-314-8001 or toll free at 1-800-461-6290. Application information is also available on the Ministry of the Environment Internet site at www.ene.gov.on.ca

FOREWORD

The Ministry of the Environment (MOE) pesticide licensing program is regulated by the *Pesticides Act* and Regulation 914. In accordance with legislation, the Environmental Assessment and Approvals Branch manages licensing for the sale, storage, use, transportation and disposal of federally registered and provincially classified pesticides.

The *Pesticides Act* defines “pesticide” as any organism, substance or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or altering the growth, development or characteristics of any plant life that is not a pest and includes any organism, substance or thing registered under the federal *Pest Control Products Act*.

Federally registered pest control products are classified into one of six different classes or “schedules” for legal sale and use in Ontario. The schedule determines who can sell or use the pesticide product and what restrictions (e.g., requires a licence and/or permit) are placed on its use. For current information on classified products, consult the Ontario Pesticides Advisory Committee web site at www.opac.gov.on.ca.

A pesticide licence is required if you wish to sell pesticides (Vendor Licence), apply pesticides (Exterminator Licence), or operate a business that employs persons that apply pesticides commercially (Operator Licence). Pesticide Vendors and Exterminators are required to meet certain certification requirements.

INFORMATION FOR APPLICANTS

A complete application consists of:

- A completed, signed application form for the appropriate licence type;
- Proof of training or certification (Exterminators and General Vendors);
- Payment of application fee by certified cheque, money order or credit card.

Please Note: Incomplete applications will be returned.

Please forward your completed application to:

Director
Environmental Assessment & Approvals Branch
2 St. Clair Avenue W, Floor 12A
Toronto, ON M4V 1L5

UNLICENSED ASSISTANTS

Trainee

A person that is hired as an assistant to a licensed exterminator and who has **not** successfully completed a MOE approved pesticides safety training course and practical training from a licensed exterminator is described as a **trainee**. A trainee requires direct supervision by a licensed exterminator at all times.

The trainee may...	The trainee may NOT...
<ul style="list-style-type: none"> • mix, load or apply Schedule 2, 3, 4, and 6 pesticide products under direct supervision of a licensed exterminator 	<ul style="list-style-type: none"> • recommend pesticides to a client • select a pesticide for use in an extermination • select a method of or rate of application of a pesticide • mix, load or apply a Schedule 1 or 5 pesticide product
Conditions...	The supervising licensed exterminator MUST...
<ul style="list-style-type: none"> • must be sixteen years of age or older • must carry on his or her person or have readily available at the site of the extermination a document indicating the name of the employer • may only apply pesticides as a trainee under direct supervision of a licensed exterminator 	<ul style="list-style-type: none"> • directly supervise the trainee at all times (i.e., trainee must work in the direct presence of a supervising licensed exterminator) when the trainee is using a pesticide • ensure the trainee has received appropriate training and carries out exterminations according to the <i>Pesticides Act</i> and Regulation 914

Technician

A trainee that successfully completes an MOE approved pesticides safety training course **and** has received practical training from a licensed exterminator is referred to as a **technician**. For information regarding pesticide training courses for technicians contact:

Ridgetown College
University of Guelph
1-888-620-9999
www.ridgetownc.on.ca

Pesticide Industry
Council
1-800-265-5656
www.ptpic.com

Pesticide Industry
Regulatory Council
1-800-615-9813
www.pirc.ca

The technician may...	The technician may NOT...
<ul style="list-style-type: none"> • mix, load or apply Schedule 2 pesticide products other than rodenticides, suspensions in air, bird control products or soil fumigants • mix, load or apply Schedule 3, 4, and 6 pesticide products 	<ul style="list-style-type: none"> • recommend pesticides to a client • select a pesticide for use in an extermination • select a method of or rate of application of a pesticide • mix, load or apply a Schedule 1 or 5 pesticide product • mix, load or apply a Schedule 2 pesticide that is a suspension in air, a bird control product, rodenticide or soil fumigant except under direct supervision of a licensed exterminator
Conditions...	The supervising licensed exterminator MUST...
<ul style="list-style-type: none"> • must be sixteen years of age or older • must have successfully completed a MOE-approved technician course and carry on his or her person, or readily available at the site of the extermination, a document (i.e., Technician ID Card) indicating the date of course completion and/or expiry date • must have available, at the pesticide application site, a journal or a work order/invoice that indicates: <ul style="list-style-type: none"> ○ the name and licence number of the supervising licensed exterminator responsible for the technician; ○ unique number or identifier for the extermination in the business records of the technician's employer; ○ details of the extermination (including the site location, date, the pesticide used, Pest Control Product No. and target pest) • must have available, at the pesticide application site, records of a minimum of a once a week site visit by the supervising licensed exterminator for the past 30 days entered into a journal, or on a work order or invoice to show that the job was observed by the supervising exterminator at each weekly site visit including the supervisor's licence number and signature and dated to confirm that the work was performed satisfactorily • may only apply pesticides as a technician for a maximum of two years unless he or she retakes and completes the course 	<ul style="list-style-type: none"> • provide his or her name to the technician as the person responsible for supervising the technician • visit the pesticide application/job site at least once a week to observe the use of a pesticide by the technician and document that he or she observed the technician applying pesticides during the weekly site visit by signing off (i.e., signature, name and licence number and date) in the technician's journal or on the work order/invoice for that extermination • must ensure the technician has received appropriate training and carries out exterminations according to the <i>Pesticides Act</i> and Regulation 914

EXTERMINATOR LICENCES

A person that applies pesticides commercially and is not a Technician or Trainee requires an Exterminator Licence from the MOE authorizing pesticide use according to the terms and conditions of the licence. All new exterminators are required to take an MOE approved course and pass a certification exam. For information regarding pesticide training and certification please contact Ridgetown College, University of Guelph toll free at 1-888-620-9999 or locally at (519) 674-1575. All pesticide exterminator licence holders must be at least sixteen years of age. Exterminator licences are **valid for a five year period**, after which time the licence must be renewed.

Exterminator Licences – Structural

What the licence holder may do...	What the licence holder may NOT do...
<p>The structural licence allows the use of pesticides to:</p> <ul style="list-style-type: none"> control pests in or around structures 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of herbicides, fumigant gases, chloropicrin and termiticides the use of pesticides to control pests of plants growing inside greenhouses and other buildings or structures
<p>The termite licence allows the use of insecticides to:</p> <ul style="list-style-type: none"> prevent and control termites 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of insecticides to control other wood-destroying insects the use of fumigant gases
<p>The greenhouse licence allows the use of pesticides:</p> <ul style="list-style-type: none"> to control pests of plants growing inside greenhouses and other buildings or structures immediately surrounding greenhouses, buildings or structures when pests may affect the plants growing inside 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of fumigant gases
<p>The fumigation-general licence allows the use of fumigant gases and chloropicrin to control pests</p> <ul style="list-style-type: none"> within structures or other enclosed spaces (including vaults, greenhouses, vehicles, farm buildings, silos, bins, etc.) associated with soil fumigation under a covering that suppresses the release of gas and allows the use of phosphine gas to control groundhogs 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of pesticides other than as fumigant gases and chloropicrin
<p>The fumigation-vault limited licence allows:</p> <ul style="list-style-type: none"> the use of methyl bromide, ethylene oxide and carbon dioxide in a vault as specifically described in the regulations 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of phosphine gas
<p>The fumigation-commodity limited licence allows:</p> <ul style="list-style-type: none"> the use of phosphine gas in a structural extermination to control pests in commodities that are in a silo, bin, vehicle, or other form of sealed and secured container (including a non-vacuum vault) or under a covering that suppresses the release of gas the use of Schedule 2, 3, 4 and 6 insecticides for pests associated with these commodities 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of other fumigant gases the use of rodenticides
<p>The fumigation-soil limited licence allows:</p> <ul style="list-style-type: none"> the use of fumigant gases and/or methyl bromide chloropicrin mixtures under a covering that suppresses the release of gas to control pests in soil, greenhouse soil beds and nursery soils 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of pesticides other than fumigant gases and/or methyl bromide chloropicrin mixtures for soil fumigation

Exterminator Licences – Land

What the licence holder may do...	What the licence holder may NOT do...
<p>The agriculture licence allows:</p> <ul style="list-style-type: none"> the use of pesticides in a land extermination to control pests associated with agricultural crops (including nursery production, Christmas tree and sod farms) the use of pesticides in a land extermination to control pests associated with the raising of livestock and poultry (including animals housed inside farm structures) the use of phosphine gas to control groundhogs 	<p>Excludes:</p> <ul style="list-style-type: none"> all other uses of fumigant gases the use of pesticides in greenhouses the aerial application of pesticides
<p>The landscape licence allows the use of pesticides in a land extermination on residential, recreational, commercial and public lands to:</p> <ul style="list-style-type: none"> maintain turf and ornamental plants maintain ornamental plants intended for sale control pests on the <u>outside</u> of structures or buildings in connection with landscape management (e.g. spiders, earwigs) control pests (e.g., gypsy moths, tent caterpillars) in treed areas of one hectare or less maintain parking lots, driveways, pathways or easements associated with the residential, recreational, commercial or public land as long as the rights of way or other easements can be reached from the property without crossing a public road 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of fumigant gases the use of pesticides in a water extermination the aerial application of pesticides the use of pesticides on rights-of-ways of controlled access highways, roads, rail lines, hydro power lines or pipe lines the use of pesticides in treed areas of more than one hectare
<p>The industrial vegetation licence allows:</p> <ul style="list-style-type: none"> the use of herbicides in a land extermination to control vegetation on rights-of-way, roadsides, utility easements and other areas that give access to works or equipment and to control roots in sewer systems the use of insecticides and fungicides on in-ground wood poles 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of fumigant gases the aerial application of pesticides
<p>The aerial licence allows:</p> <ul style="list-style-type: none"> the use of pesticides for a land or water extermination when applied by airborne machines 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of fumigant gases
<p>The forestry licence allows:</p> <ul style="list-style-type: none"> the use of pesticides in a land extermination for forest management and the growing and maintenance of trees 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of fumigant gases the aerial application of pesticides

Exterminator Licences – Water

What the licence holder may do...	What the licence holder may NOT do...
<p>The mosquito/biting flies licence allows:</p> <ul style="list-style-type: none"> the use of insecticides in a water extermination to control mosquitoes, black flies or other biting fly aquatic stages; the use of insecticides in a land extermination to control adult stages of mosquitoes, black flies and other biting fly populations 	<p>Excludes:</p> <ul style="list-style-type: none"> the use of insecticides to control biting flies on livestock; the aerial application of insecticides
<p>The aquatic vegetation licence allows:</p> <ul style="list-style-type: none"> the use of herbicides in a water extermination to control aquatic vegetation 	<p>Excludes:</p> <ul style="list-style-type: none"> the aerial application of herbicides
<p>The fish/mollusc licence allows:</p> <ul style="list-style-type: none"> the use of pesticides in a water extermination to control fish (including sea lamprey), molluscs and pests affecting fish 	<p>Excludes:</p> <ul style="list-style-type: none"> the aerial application of pesticides

OPERATOR LICENCES

Any person that applies pesticides commercially must hold an Operator Licence and an Exterminator Licence from the MOE or be working for someone that holds the necessary licenses.

Conditions	What the Licence Holder May Do
<ul style="list-style-type: none"> licence is renewed annually on February 15th must be eighteen years of age or older or, in the case of a corporation the official representative(s) must be at least eighteen years of age every operator that stores schedule 1, 2, 3, 4, 5, or 6 pesticide product must give written notice annually to the Fire Department responsible for the area in which the pesticide is stored operators must use an identification marker for vehicles transporting pesticides have a licensed exterminator in charge at each location who is normally present at least once during each business day 	What the Licence Holder Must Have
	<ul style="list-style-type: none"> operate a pest control business (land, structural and/or water) for fee or payment a valid exterminator licence of any class; coverage of \$1 million in third-party liability insurance

VENDOR LICENCES

Persons or businesses selling pesticides must hold a pesticide Vendor Licence and employ a full-time, certified outlet representative at locations that sell higher risk pesticides (i.e., schedule 1, 2 and 5 products).

General Vendor

Conditions	What the Licence Holder May Do
<ul style="list-style-type: none"> licence is issued for a 5 year period every vendor that stores schedule 1, 2, 3, 4, 5, or 6 pesticide products for sale must give written notice annually to the Fire Department responsible for the area in which the pesticide is stored must be eighteen years of age or older or, in the case of a corporation the official representative(s) must be at least eighteen years of age or older maintain a record of sale for all schedule 1, 2 and 5 pesticide products 	What the Licence Holder Must Have
	<ul style="list-style-type: none"> sell all schedules of pesticide products, either wholesale or retail each facility applying for a General Vendor Licence must have a full time certified outlet representative (i.e., successfully completed the Pesticides Vendor Certification Course (PVCC) and who is at least 16 years of age. For information regarding pesticide training and certification please contact Ridgetown College, University of Guelph toll free at 1-888-620-9999 or locally at (519) 674-1575 a separate licence for each location

Limited Vendor

Conditions	What the Licence Holder May Do
<ul style="list-style-type: none"> licence is issued for a 5 year period every vendor that stores schedule 1, 2, 3, 4, 5, or 6 pesticide for sale must give written notice annually to the Fire Department responsible for the area in which the pesticide is stored must be eighteen years of age or older or, in the case of a corporation the official representative(s) must be at least eighteen years of age or older 	What the Licence Holder Must Have
	<ul style="list-style-type: none"> sell either wholesale or retail, only Schedule 3, 4 and 6 pesticides or a Schedule 2 pesticide that is a bactericide in cutting oil, marine or aviation fuel a separate licence for each location

CERTIFIED AGRICULTURISTS (CERTIFIED GROWERS)

It is mandatory for growers to be certified through the Grower Pesticide Safety Course (GPSC) in order to buy and use Schedule 1, 2 or 5 pesticides on land used for agriculture or forestry production.

- At least one Certified Agriculturist is required for each farm operation.
- You are a grower (farmer) if you currently use farm land for agricultural or forestry production, and that farm land is classified as farm property class under Section 7 of the *Assessment Act*.

The *Assessment Act* is available on the internet at www.e-laws.gov.on.ca. For more information on the farmland class property tax program please review the publications link at the Ontario Ministry of Agriculture and Food (OMAF) web site: www.omaf.gov.on.ca or contact OMAF by calling 1-800-469-2285. Additional information is available at the Municipal Property Assessment Corporation (MPAC), your local Ministry of the Environment office or the MOE Internet site at www.ene.gov.on.ca.

ASSISTANT AGRICULTURISTS

All Assistant Agriculturists must have formal pesticide safety training, recognized by MOE, before they can mix, load or apply Schedule 2 or 5 pesticides under the supervision of a Certified Agriculturist (Certified Grower).

- This applies to all assistant agriculturists, including family members, farm employees and seasonal workers.
- Trained assistant agriculturists must be 16 years of age or older.
- There are 2 training options for assistant agriculturists. Assistants can:
 1. attend a Grower Pesticide Safety Course (GPSC) but are not required to write the certification examination, or;
 2. attend an on-farm training session presented by a qualified trained assistant instructor.
- For more information about Grower Pesticide Safety Courses please contact Ridgetown College, University of Guelph toll free at 1-800-652-8573 or locally at (519) 674-1580.

Assistant Agriculturist to a Certified Agriculturist (Certified Grower)

A person that has successfully completed an approved course for handling and using pesticides on farm land and performs land extermination on farm land while under the supervision of a Certified Agriculturist in agricultural or forestry production (does not include forestry production in connection with the management of Crown Forests) is considered an **Assistant Agriculturist**.

The Assistant Agriculturist may...	The Assistant Agriculturist may NOT...
<ul style="list-style-type: none"> • mix, load or apply Schedule 2 and 5 pesticide products under <u>direct</u> supervision of a certified agriculturist (eg. present at site) • mix, load or apply Schedule 2 and 5 pesticide products under <u>indirect</u> supervision of a Certified Agriculturist if provided with written instructions for Schedule 5 and in phone/radio contact for Schedule 2 and 5 pesticide products • mix, load and apply Schedule 3, 4 and 6 pesticide products without supervision 	<ul style="list-style-type: none"> • mix, load or apply a Schedule 1 pesticide • purchase a Schedule 2 or 5 pesticide • recommend, select or determine the rate of application of a schedule 2 or 5 pesticide on the farm land; • calibrate equipment for an extermination using a Schedule 1 or 5 pesticide • select the appropriate storage means of a Schedule 2 or 5 pesticide • select the appropriate means of disposal or reclamation of an empty container that held a Schedule 2 or 5 pesticide • transport or dispose of a waste Schedule 2 or 5 pesticide
Conditions of the Assistant Agriculturist...	The supervising Certified Agriculturist MUST...
<ul style="list-style-type: none"> • must be sixteen years of age or older • must have readily available a document indicating completion of an approved training course • may only apply pesticides as Assistant Agriculturist on the farm land* of the Certified Agriculturist for 5 years unless he/she retakes the course 	<ul style="list-style-type: none"> • directly supervise the Assistant Agriculturist at all times <u>or</u> • indirectly supervise the Assistant Agriculturist but must be available for immediate response through an effective communication system if the Assistant Agriculturist is using a Schedule 2 or 5 pesticide and must provide written instructions to the Assistant Agriculturist on the mixing, loading and application of Schedule 5 pesticides • ensure the trainee has received appropriate training.

**Farm land means land that falls within the farm property class under section 7 of the Assessment Act. Farmers who have a gross annual income of over \$7000 are required to have the farm land registered under the Farm Registration and Farm Organizations Funding Act. The Municipal Property Assessment Corporation (MPAC) designates the property class. Farmers registered receive a registration number indicating the land is farm land.*

For more information, please visit the Ontario Ministry of Agriculture and Food website at www.gov.on.ca/OMAFRA

CLASSIFICATION OF PESTICIDES

Pesticides are classified into one of six schedules used to control sale and use.

Ontario's Pesticide Classification						
Schedule	Human and/or Environmental Health Criteria*	For Use According to Label Directions By:				
		Licenced Exterminator	Certified Grower	Technician/ Trainee	Trained Assistant	Property Owner or Tenant
1	Very Toxic Very Persistent	✓ (under permit)	✓ (under permit)			
5	Very Toxic Very Persistent	✓ (aerial application under permit)	✓		✓ (under supervision)	
2	Toxic Persistent	✓	✓	✓ (under supervision)	✓ (under supervision)	✓ (aquatic herbicides, under permit)
3	Moderately Toxic Moderately Persistent	✓	✓	✓ (under supervision)	✓	✓
4	Low Toxicity Low Persistence	✓	✓	✓ (under supervision)	✓	✓
6	Low Toxicity Low Persistence (larger size container)	✓	✓	✓ (under supervision)	✓	✓

* More detailed information on classification criteria is outlined in the OPAC guidelines for classification of pesticide products available at www.opac.gov.on.ca

VEHICLE IDENTIFICATION

A licensed operator must ensure that a current identification marker is affixed to all vehicles that store or transport pesticides. This includes pesticides stored or transported in the cab (passenger compartment) of a vehicle, in the trunk of a vehicle, in a tank mounted in/on a vehicle or in/on a trailer towed by the vehicle. The identification marker must indicate the current calendar year and contain the words "Licensed Operator, *Pesticides Act*."

These identification markers are distributed to licensed operators based on the number of vehicles they currently have in use. Additional identification markers are available from:

Ministry of the Environment
Environmental Assessment & Approvals Branch
2 St. Clair Avenue W, Floor 12A
Toronto, ON M4V 1L5

Phone: 416-314-8001 (local)
Phone: 1-800-461-6290 (toll free)
Email: EAABGen@ene.gov.on.ca

NOTE:

If a vehicle is left unsupervised (i.e., the person responsible is at any time not in view of the vehicle) and that vehicle holds a pesticide that is mixed or diluted or not, the vehicle must be in an area that is not accessible to the public or the pesticide must be locked in a compartment. In addition, a sign must be posted that has the words, "WARNING" and "AUTHORIZED PERSONS ONLY" and the words, "CHEMICAL STORAGE" or "PESTICIDE STORAGE". These signs are available through various safety and farm suppliers and not from the MOE.

INSURANCE GUIDE - OPERATOR

1. Regulation 914 made under the *Pesticides Act* requires that every operator of an extermination business in Ontario shall carry insurance.
2. The insurance must be in a form approved by the Superintendent of Financial Services of the Province of Ontario.
3. The contract of insurance shall provide for at least **\$1,000,000** of comprehensive coverage for liabilities of the operator and all of the operator's employees, with respect to death, injury or property damage arising out of any one incident.
4. The contract of insurance shall also provide for pollution coverage for emissions or discharges of chemicals into the environment as part of the business operated under authority of the licence. This contract of insurance shall provide for at least **\$200,000** of pollution coverage with respect to death, injury or property damage arising out of any one incident.
5. **In addition:** If the operator's extermination business involves the airborne application of pesticides, the contract of insurance shall include coverage for liability for off target pesticide disposition in an amount of not less than
 - a. **\$100,000** with respect to death or injury arising out of any one incident; and
 - b. **\$25,000** with respect to property damage arising out of any one incident.
6. The liability coverage for the insurance must be at least **\$25,000** to each employee of the operator provided that the contract of insurance may limit the insurer's liability to **\$50,000** for any one incident.
7. However, if the operator provides evidence that their business is covered under the *Workplace Safety and Insurance Act* and the operator is paying, and continues to pay, all premiums and any other the amounts required under that Act, as they fall due, then the operator does not need the liability coverage in the contract of insurance as described in paragraph 6, above.
8. The contract of insurance may allow the insured to pay a deductible for the first **\$2,500** of each claim for which an amount of coverage is required.
9. The contract of insurance must include a clause that states that the insurer shall give 30 days notice before any cancellation of the insurance by either the insurer or the insured. The 30 day notice shall be provided by registered mail to the Director appointed under the *Pesticides Act*.. The contract of insurance shall remain in full force and effect until after the 30 day notice period has expired.
10. The contract of insurance must include a clause that states that the insurer shall pay any claims covered by the contract of insurance to claimants who have recovered a judgment. The insurer shall pay the claimant even if the insured has taken an act that has made the policy void, has defaulted, or has given the insurer a defense to an action by the insured. This provision in the contract of insurance shall not limit the insurer's right to later recover the payment from the insured.